

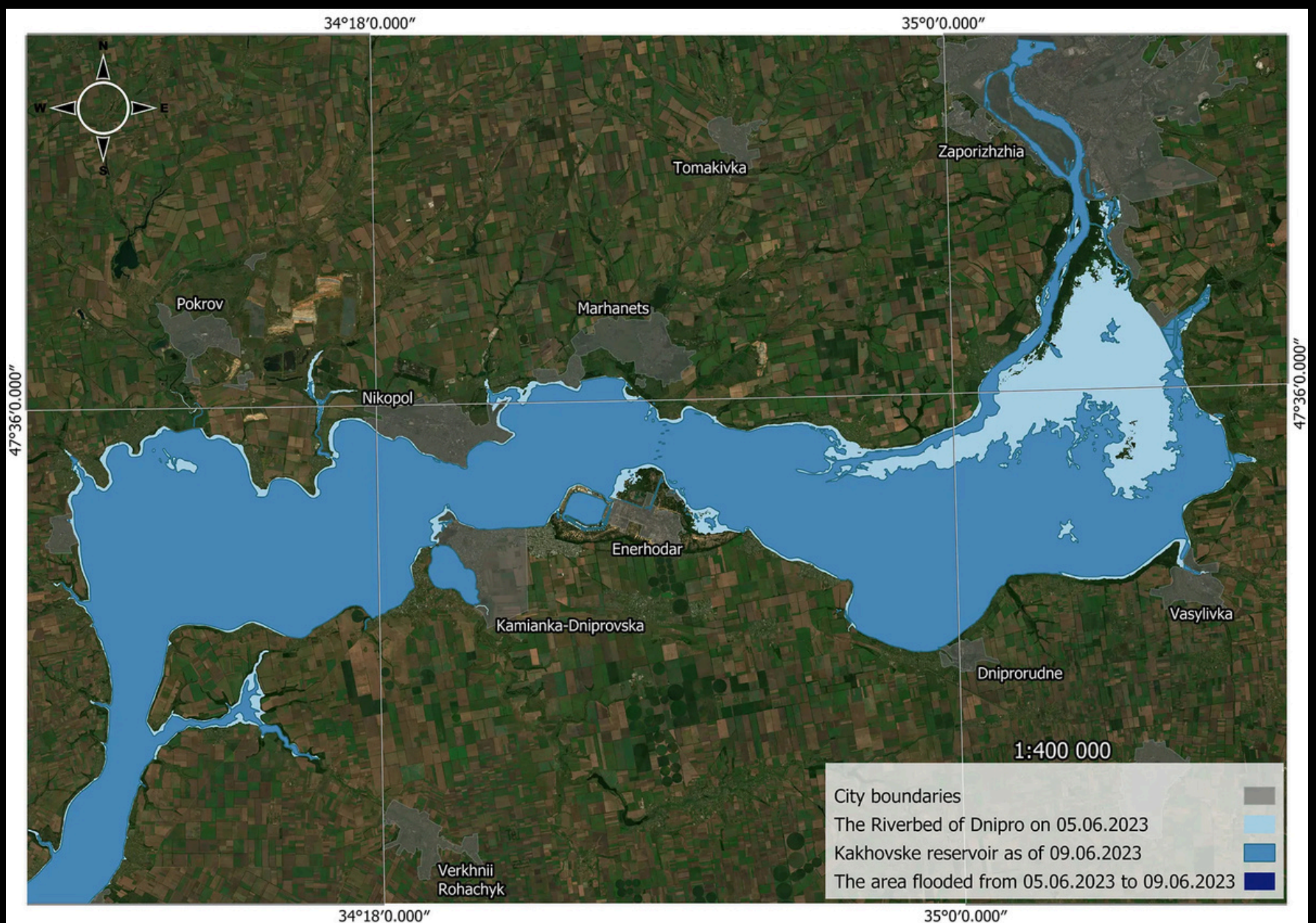
**HOW THE CASE OF KAKHOVKA
OFFERS THE ICC A HISTORIC
OPPORTUNITY TO SET A
PRECEDENT FOR PROSECUTING
ENVIRONMENTAL CRIMES**

ON 6 JUNE 2023, RUSSIAN FORCES DELIBERATELY DESTROYED THE KAKHOVKA DAM:

405.4 km²
flooded

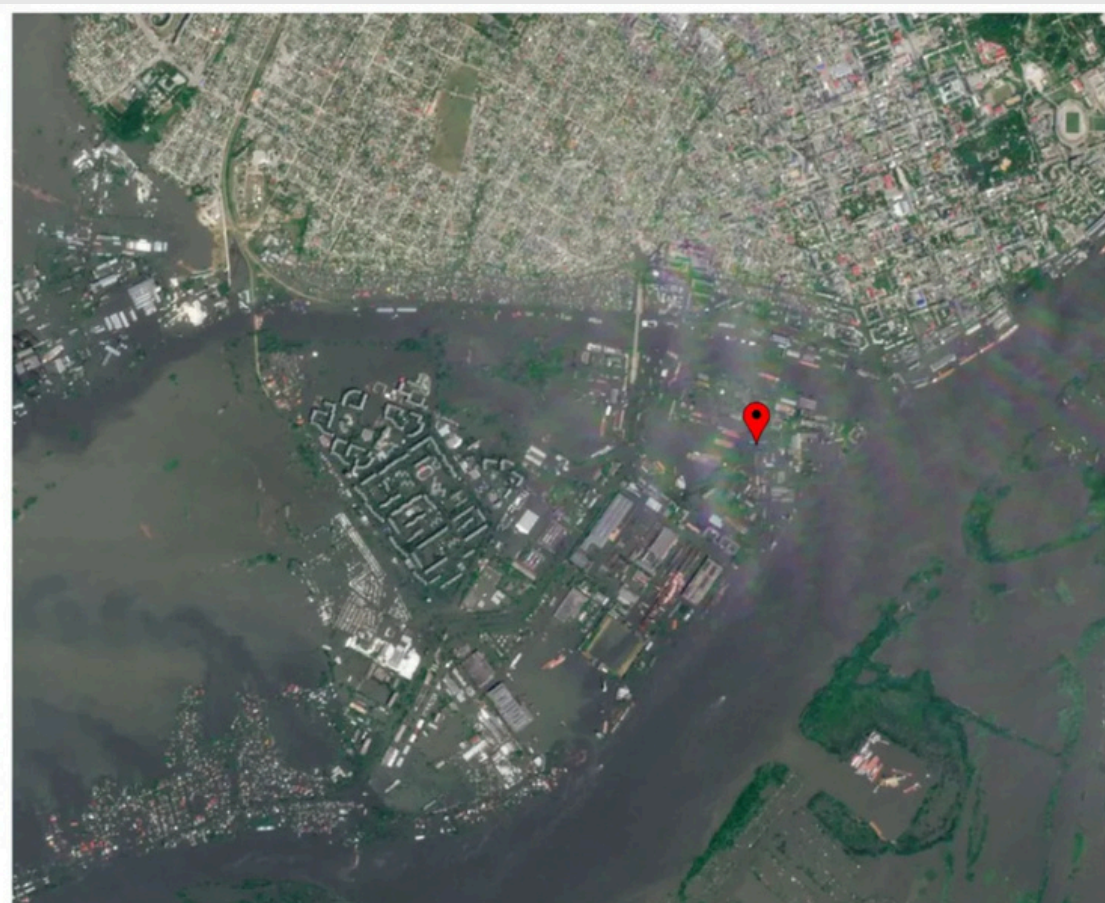
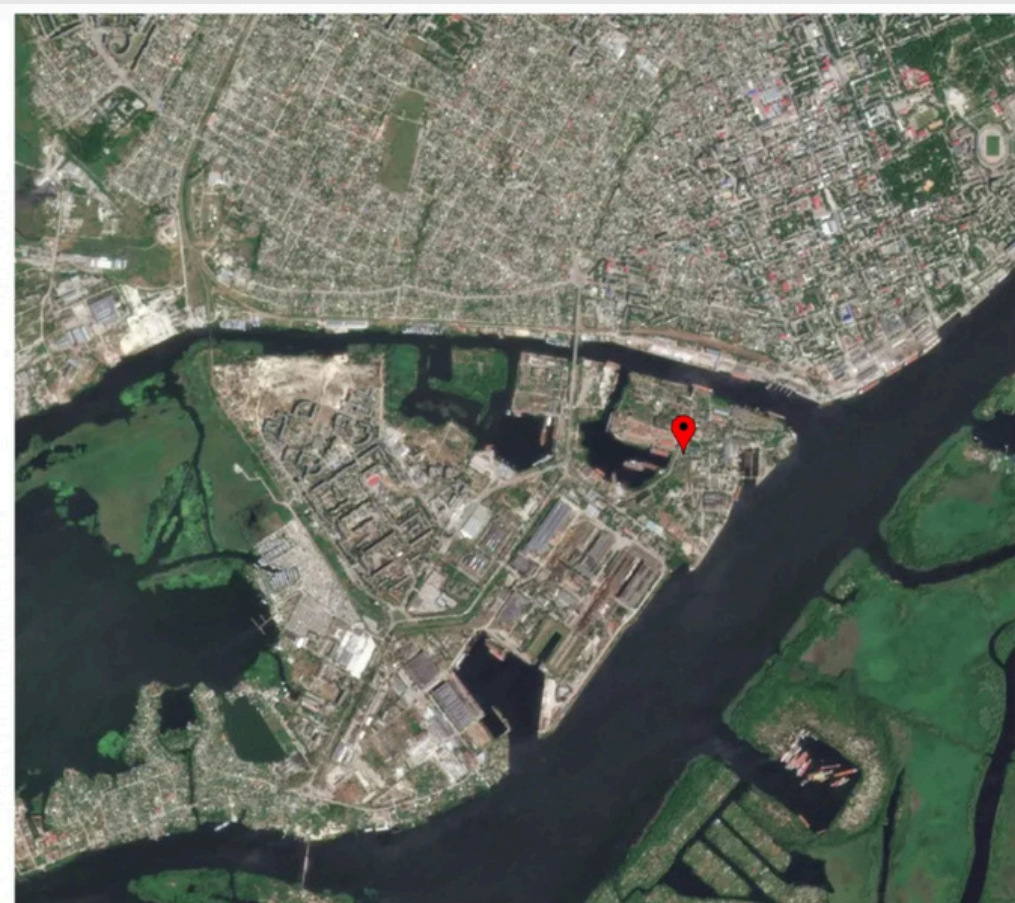
equal to **56,700**
soccer fields

impacting **80+**
settlements





Satellite image of the Kakhovka HPP taken on June 6.



Satellite imagery of the Pallada Shipyard in Kherson on June 5, 2023 (left) and on June 7, 2023 (right).

Cultural loss: Polina Raiko's frescoes in Oleshky significantly damaged.

Ecological shift: Willow forests now cover one-third of the drained reservoir.

Legal implication: Attack that caused this excessive ecological harm may be a war crime under the Rome Statute.



NO ENVIRONMENTAL WAR CRIME HAS EVER BEEN PROSECUTED AT THE ICC BEFORE.

Truth Hounds' report submission paves the way for the first prosecution of such a crime.

To achieve this, we need to **interpret existing international law** in light of our contemporary knowledge about **ecosystems and nature**.



CHALLENGES IN PROVING THE CRIME:

Among the main hurdles: **the application of the term ‘attack’ to the Kakhovka dam destruction:**

- Debate on whether attacks **may occur** within controlled areas.
- Modern dams designed to resist external impacts but **vulnerable to internal threats** like mining and blowing up.
- Limited interpretation of "attack" impedes minimal environmental and dam **protection**.
- Even if there is no agreement on labeling blowing up of the dam **an attack**, the question remains whether the use of released water from the reservoir should be considered an attack (which we think it should).

And a lot more that we talk about in our submission.



ON TOP ON INVESTIGATION REPORT TRUTH HOUNDS LAUNCHED ANOTHER ICC SUBMISSION THAT COMMENTS ON THE UPCOMING ICC OTP POLICY ON INVESTIGATION OF ENVIRONMENTAL WAR CRIMES.

Some of the recommendations in our submission are:

1. **Cross-border damage:** The ICC should clarify it can handle environmental crimes that cross borders, even if they start in a non-ICC country.
2. **Defining “natural environment”:** Include human-modified areas like farms and water supplies in the ICC’s environmental crime definition.
3. **Military justification:** Military actions causing massive environmental harm must have a strong military reason to be legal.
4. **Resource destruction:** Link environmental crimes to property damage, like the pillage of farmland and natural resources.



BY ADOPTING TRUTH HOUNDS' RECOMMENDATIONS, THE ICC CAN CLARIFY EXISTING LAW, ENSURE ACCOUNTABILITY, AND ADVANCE GLOBAL STANDARDS ON ENVIRONMENTAL JUSTICE.

AS ENVIRONMENTAL HARM BECOMES A WEAPON OF WAR, STRONG LEGAL ACTION IS BOTH A DUTY AND A NECESSITY.